

REMARKS

The Official Action mailed April 29, 2003 has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time.

Applicant notes with appreciation the consideration of the Information Disclosure Statement filed on March 29, 2001. A further Information Disclosure Statement is submitted herewith and careful review and consideration of this Information Disclosure Statement is requested.

Claims 1-32 were pending in the present application. New claims 33-52 have been added to recite additional protection to which Applicant is entitled, claims 1-9, 12-21, and 24-32 have been amended, and claims 10-11, and 22-23 have been canceled. Thus, claims 1-9, 12-21, and 24-52 are now pending in the present application, of which claims 1, 5, 9, 16, 21, 28, 39, and 46 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance.

The Official Action rejects claims 1-32 as obvious based on the combination of U.S. Patent 5,148,301 to Sawatubashi and 5,406,399 to Koike. As stated in MPEP § 2143-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Independent claims 1, 5, 16 and 28 have been amended to recite that at least one end face of the first substrate and the second substrate has a tapered end surface,

which is shown by at least Figures 1B, 1C, 3C, 4C, 4D and 5C. Because of this structure, it becomes difficult for an adhesive to intrude in to a space between the substrates and the adhesion strength can be raised (See page 10 lines 13-20 of the Specification, for example). It is respectfully submitted that this feature is not disclosed or suggest by either Sawatsubashi or Koike, whether taken alone or in combination.


Also, independent claims 9 and 21 have been amended to recite that the claimed adhesive contacts with liquid crystal, which is shown by at least Figs. 1B, 1C, 4C and 4D. It is further submitted that this feature is not disclosed or suggest by either Sawatsubashi or Koike, whether taken alone or in combination.

Since the prior art of record fails to disclose or suggest each and every feature recited in the claims, it is respectfully submitted that a *prima facie* case of obviousness cannot be maintained and favorable reconsideration is requested.

In addition, new claims 33-52 are added to complete the scope of protection for the subject invention. Newly added independent claims 39 and 46 further recite gap holding members, which are disclosed in Embodiment 4 of the Specification. As discussed in Embodiment 4, cylindrical /patterned gap holding members are suitable for a liquid crystal display device of the present invention. Dependent claims 44, 45, 51 and 52 further define the gap holding members as supported by at least page 20 lines 1-2 and 11-14 of the Specification.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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